

Court of Appeals, State of Michigan

ORDER

Department of Transportation v North Central Cooperative LLC

Docket No. 268432

LC No. 05-000847-ND

William B. Murphy
Presiding Judge

Brian K. Zahra

Deborah A. Servitto
Judges

On the Court's own motion, the parties are directed to file supplemental briefs within 14 days of the Clerk's certification of this order addressing the following issues:

I. Whether, at the time of the accident giving rise to this litigation, North Central Cooperative LLC had in place the requisite level of financial security set forth in 49 USC § 31139(d) and CFR 387.9 (adopted in MCL 480.11a) and, if so, what insurer issued a policy for the security.

II. If North Central Cooperative LLC did have the required financial security in place, the parties shall brief the Court on the application of res judicata to the instant action with respect to defendant and, if applicable, Farmland Insurance.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 19 2007

Date

Sandra Schultz Mengel
Chief Clerk